



MAIL STOP PETITION
PATENT
2907-0104P

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IN THE U.S. PATENT AND TRADEMARK OFFICE

OFFICE OF PETITIONS

Applicant: NIEBOER et al.

Conf: 1872

Appl. No.: 09/895,828

Group: 3625

Filed: October 28, 2000

Examiner: THOMPSON JR., F.

For: AUTOMATED SYSTEM FOR CONDITIONAL
ORDER TRANSACTIONS IN SECURITIES OR
OTHER ITEMS IN COMMERCE

PETITION TO REVIVE UNDER 37 C.F.R. 1.137(b)

3 09B

June 1, 2005

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition to revive the above-identified application responsive to the Notice of Abandonment dated May 5, 2005 on the grounds that abandonment was unintentional.

In fact, the undersigned never received an official Notice If Allowance. However, in order to expedite issuance of the application, Applicants elect to proceed for relief under 37 C.F.R. 1.137(b) for "unintentional" abandonment.

The issue fee of \$700.00 is enclosed herewith, along with the petition fee of \$750.00.

Appl. No. 09/695,828
Art Unit: 3625

Since the record clearly shows that this petition is the result of USPTO error, it is respectfully requested that the petition fee be waived. Therefore, please refund the enclosed fee of \$750.00 upon the Examiner's favorable decision.

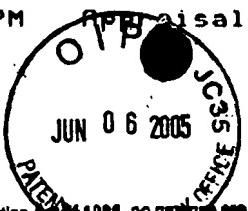
Respectfully submitted,

By Anthony L. Birch
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ALB:bb
2907-104P

Certificate of Transmission	
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Date:	6/3/05



Approved for use through 07/31/2006. OMB 0851-0031
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09/695,828
DAC

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
2907-104P

First named Inventor: Robert Scott Nieboer

Application No.: 09/695,828

Art Unit: 3625

Filed: 10/26/2000

Examiner: THOMPSON JR, FOREST

Title: AUTOMATED SYSTEM FOR CONDITIONAL ORDER TRANSACTIONS IN SECURITIES OR OTHER ITEMS IN COMMERCE

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OFFICE OF PETITIONS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 672-9308

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity fee \$ 5700.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of PAYMENT OF THE ISSUE FEE (identify type of reply):

has been filed previously on _____
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 5700.00

has been paid previously on _____
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

06/07/2005 SLUANG1 00000031 0969582 You need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

01 FC:2453

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06/07/2005 SLUANG1 00000031 09695828

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PTO/SB/84 (09-04)

Approved for use through 07/31/2008. GMB 0861-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

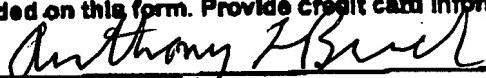
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3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/83).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Signature

6/3/05

Date

Anthony Lowe Birch

Typed or printed name

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Registration Number, if applicable

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Address

301-652-8847

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Bethesda, MD 20814

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Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other:

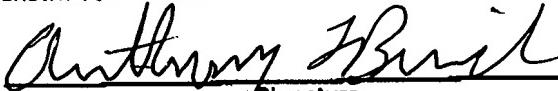
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

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6/3/05

Date



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Anthony Lowe Birch

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